



ITW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	D. Volkin et al.		Art Unit:
Serial No.:	10/764,921	Case #: 19907YIACB	Examiner:
Filed:	26 January 2004		Conformation No. 9882
For:	POLYNUCLEOTIDE VACCINE FORMULATIONS		Formalities Letter

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Sir:

In response to the *Notice to Comply with Requirements for Patent Applications Containing Nucleotide and/or Amino Acid Sequence Disclosures* (herein, "Notice to Comply"), mailed 02 June 2004, Applicants submit herewith a substitute computer readable form and paper copy of the Sequence Listing. This current form of the Sequence Listing differs from the previously filed version as follows:

1. SEQ ID NOs: 13 and 14 are amended to refer to a human influenza virus peptide epitope and hepatitis B virus epitope, respectively.

I hereby state that the contents of the paper and computer readable copy of the enclosed Sequence Listing, submitted in accordance with 37 CFR 1.182(c) and (e), respectively, are the same.

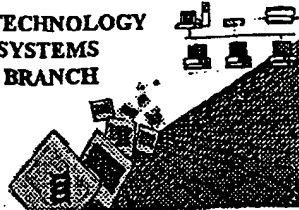
Respectfully submitted,

Date 28 July 2004

By J. Mark Hand
J. Mark Hand
Reg. No. 36,545
Attorney for Applicant
MERCK & CO., INC.
P.O. Box 2000
Rahway, New Jersey 07065-0907
(732) 594-3905

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date appearing below.

By J. Mark Hand Date 7/28/04
MERCK & CO., INC.



RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 10/764,921 A
Source: FFWD
Date Processed by STIC: 5/19/04

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION AND PATENTIN SOFTWARE QUESTIONS, PLEASE CONTACT MARK SPENCER, TELEPHONE: 571-272-2510; FAX: 571-273-0221

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 4.2 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker/chkrnote.htm>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebs/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)

2. U.S. Postal Service: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

3. ~~Hand Carry, Federal Express, United Parcel Service, or other delivery service (EFFECTIVE 06/05/04):~~

U.S. Patent and Trademark Office, 220 20th Street S., Customer Window, Mail Stop Sequence, Crystal Plaza Two, Lobby, Room 1B03, Arlington, VA 22202



IFWO

RAW SEQUENCE LISTING

DATE: 05/19/2004

PATENT APPLICATION: US/10/764,921A

TIME: 15:05:44

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4 <110> APPLICANT: Volkin, David B.
 5 Evans, Robert K.
 6 Ulmer, Jeffrey B.
 7 Caulfield, Michael J.
 9 <120> TITLE OF INVENTION: POLYNUCLEOTIDE VACCINE FORMULATIONS
 12 <130> FILE REFERENCE: 19907YIACB
 14 <140> CURRENT APPLICATION NUMBER: 10/764,921A
 15 <141> CURRENT FILING DATE: 2004-01-26
 17 <150> PRIOR APPLICATION NUMBER: 09/950,844
 18 <151> PRIOR FILING DATE: 2001-09-12
 20 <150> PRIOR APPLICATION NUMBER: 09/112,655
 21 <151> PRIOR FILING DATE: 1998-07-09
 23 <150> PRIOR APPLICATION NUMBER: 09/023,834
 24 <151> PRIOR FILING DATE: 1998-02-13
 26 <150> PRIOR APPLICATION NUMBER: 60/038,194
 27 <151> PRIOR FILING DATE: 1997-02-14
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Does Not Comply
Corrected Diskette Needed

(ps.3)

23

30

39

RAW SEQUENCE LISTING

DATE: 05/19/2004

PATENT APPLICATION: US/10/764,921A

TIME: 15:05:45

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RAW SEQUENCE LISTING

DATE: 05/19/2004

PATENT APPLICATION: US/10/764,921A

TIME: 15:05:45

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185 <220> FEATURE:
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VERIFICATION SUMMARY

DATE: 05/19/2004

PATENT APPLICATION: US/10/764,921A

TIME: 15:05:46

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